IN THE UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE

JOHN J. BEDNARSKI and RUTH BEDNARSKI, h/w

C.A. NO.: 05-125 (GMS)

Plaintiffs,

v.

E and S CONTRACT CARRIERS, INC.

CLARENCE JONES and I & A TRANSPORT and MARTIN CAMACHO

Defendants.

NOTICE OF RECEIPT

Plaintiffs, by their attorneys, hereby file with this Court, in accordance with 10 Del. C. §3104 and §3112, proof of receipt of notice by defendants E & S Contract Carriers, Mr. Clarence Jones, and Mr. Martin Camacho. Attached hereto as Exhibit "A" are the signed return receipts for defendants E & S, Jones, and Camacho. Service has not yet been completed for defendant I & A Transport Inc. Attached hereto as Exhibit "B" is the Receipt for Registered Mail for I & A Transport, Inc., the green card for which has not as yet been returned by the Post office. The affidavit of Mark L. Reardon, Esquire evidencing transmittal of said registered articles is attached hereto as Exhibit "C" and the actual notices sent to defendants are attached as Exhibit "D". The Sheriff's Return is hereto attached as Exhibit "E".

> **ELZUFON AUSTIN REARDON** TARLOV & MONDELL, P.A.

ARK L. REARDON (Bar Id #2627) **9**00 Delaware Avenue, 17th Floor

P.O. Box 1630

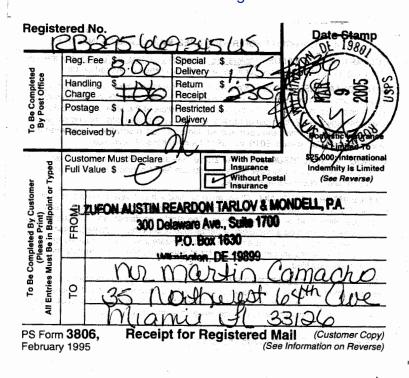
Wilmington, DE 19899-1630

(302) 428-3181

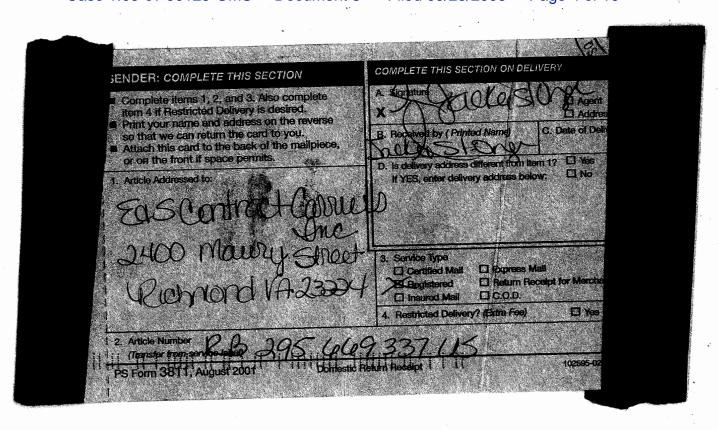
Attorney for Plaintiffs

Dated: 5/25/05

EXHIBIT A



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A Signature X M Agent Selectived by (Printed Name) C. Date of Delivery AN Hyperocephic 3/15/05
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EXHIBIT B

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EXHIBIT C

IN THE UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE

JOHN J. BEDNARSKI and RUTH BEDNARSKI, h/w

C.A. NO.: 05-125 (GMS)

Plaintiffs,

::

:

v.

E and S CONTRACT CARRIERS, INC. CLARENCE JONES and I & A TRANSPORT and MARTIN CAMACHO

:

Defendants.

AFFIDAVIT OF MARK L. REARDON

I, Mark L. Reardon, being duly sworn according to law deposes and says that:

- 1. He is the attorney for plaintiffs in C. A. 05-125 (GMS), wherein E & S Contract Carriers, Inc., Clarence Jones, I & A Transport and Martin Camacho are defendants.
- 2. The notice required in 10 <u>Del. C.</u> §3112 and §3104 was mailed to defendants, by registered mail, postage prepaid, return receipt requested, on March 8, 2005. The return receipts were returned to sender as follows: Mr. Jones dated 3/14/05; E & S Contract Carriers no date; Mr. Martin Camacho dated 3/15/05; and, I & A Transport has not been returned. On information and belief, service upon I & A Transport has been delayed based on the Postal Authority's absence of a meaningful address.
- 3. The notice provided for in 10 <u>Del</u>. <u>C.</u> §3112 and §3104 was contained in the envelope at the time it was mailed.

4. The receipt obtained at the time of mailing the envelope containing the notice is the receipt filed with this affidavit.

SWORN TO AND SUBSCRIBED before me this 25th day of May, 2005.

MARK L. REARDON

NOTARY PUBLIC

ROBIN N. ROBINSON
NOTARY PUBLIC
STATE OF DELAMARE
My commission copiese June 24 2006

EXHIBIT D

TARLOV & MONDELL, P.A.

ATTORNEYS & COUNSELORS AT LAW

JOHN A. ELZUFON
JEFFREY M. AUSTIN
MARK L. REARDON
EDWARD A. TARLOV
SCOTT R. MONDELL
H. GARRETT BAKER
ROBERT H. RICHTER
COLLEEN D. SHIELDS
CHARLES J. BROWN, III

ROGER L. TRUEMPER SCOTT A. SIMPSON CHRISTIAN G. MCGARRY DIANE M. ANDREWS KATHRYN E. LEE MATTHEW P. DONELSON DANIEL F. TYRRELL, JR., JENNIFER A. KAPES ANDREA C. RODGERS 300 DELAWARE AVENUE
SUITE 1700, P.O. BOX 1630
WILMINGTON, DELAWARE, 19899-1630
PHONE: 302.428.3181
FACSIMILE: 302.428.3180
INTERNET: WWW.ELZUFON.COM
WRITERS E-MAIL: MREARDON@ELZUFON.COM

March 8, 2005

REGISTERED MAIL
RETURN RECEIPT REQUESTED

I & A Transport, Inc. 6109 Northwest 72nd Avenue Miami, FL 33166 Attn: Ms. Ana T. Cordovi

RE: John J. Bednarski and Ruth Bednarski v.

E and S Contract Carriers, Inc., Clarence Jones, I & A Transport, Inc. and Martin Camacho

C. A. No.: 04C-09-027 CHT Notice of Service of Process

Pursuant to 10 Del. C. §3112 and 10 Del. C. §3104

To Whom It May Concern:

This letter is to advise you that this firm represents Mr. John J. and Mrs. Ruth Bednarski who have filed suit against you in the Superior Court of the State of Delaware in and for New Castle County with regard to an accident which occurred on September 6, 2002. Enclosed you will find a copy of the Complaint filed with the Superior Court and a copy of the Summons, the original of which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3112 and 10 Del. C. § 3104, the Secretary of State has been appointed agent for you for the acceptance of legal process in a civil action against you as a non-resident who caused tortious injuries within the State Of Delaware. Under the provisions of 10 Del. C. §3112 and 10 Del. C. § 3104, such service of process is as effectual to all intents and purposes as if it had been made upon you personally with the State.

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be entered against you in the Superior Court. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company.

MARK L. REARDON

truly yours,

MLR/rnr Enclosures

G:\Docs\CLIENT\131186\14959\let\00272922.DOC

WILMINGTON, DELAWARE ♦ BOOTHWYN, PENNSYLVANIA ♦ BEAR, DELAWARE

Case 1:05-cv-00125-GMS Document Documen TARLOV & MONDELL, P.A.

ATTORNEYS & COUNSELORS AT LAW

JOHN A. ELZUFON JEFFREY M. AUSTIN MARK L. REARDON EDWARD A. TARLOV SCOTT R. MONDELL H. GARRETT BAKER ROBERT H. RICHTER COLLEEN D. SHIELDS CHARLES J. BROWN, III

ROGER L. TRUEMPER SCOTT A. SIMPSON CHRISTIAN G. McGARRY DIANE M. ANDREWS KATHRYN E. LEE MATTHEW P. DONELSON DANIEL F. TYRRELL, JR., JENNIFER A. KAPES ANDREA C. RODGERS

300 DELAWARE AVENUE SUITE 1700, P.O. Box 1630 WILMINGTON, DELAWARE, 19899-1630 PHONE: 302.428.3181 FACSIMILE: 302.428.3180 INTERNET: WWW.ELZUFON.COM WRITERS E-MAIL: MREARDON@ELZUFON.COM

March 8, 2005

REGISTERED MAIL RETURN RECEIPT REQUESTED

Mr. Clarence Jones Route 3, Box 215-C Farmville, VA 23901

> John J. Bednarski and Ruth Bednarski v. RE:

E and S Contract Carriers, Inc., Clarence Jones, I & A Transport, Inc. and Martin Camacho

C. A. No.: 04C-09-027 CHT **Notice of Service of Process**

Pursuant to 10 Del. C. §3112 and 10 Del. C. §3104

Mr. Clarence Jones:

This letter is to advise you that this firm represents Mr. John J. and Mrs. Ruth Bednarski who have filed suit against you in the Superior Court of the State of Delaware in and for New Castle County with regard to an accident which occurred on September 6, 2002. Enclosed you will find a copy of the Complaint filed with the Superior Court and a copy of the Summons, the original of which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3112 and 10 Del. C. § 3104, the Secretary of State has been appointed agent for you for the acceptance of legal process in a civil action against you as a non-resident who caused tortious injuries within the State Of Delaware. Under the provisions of 10 Del. C. §3112 and 10 Del. C. § 3104, such service of process is as effectual to all intents and purposes as if it had been made upon you personally with the State.

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be entered against you in the Superior Court. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company

.. REARDON

MLR/rnr Enclosures

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WILMINGTON, DELAWARE → BOOTHWYN, PENNSYLVANIA → BEAR, DELAWARE

TARLOV & MONDELL, P.A. Attorneys & Counselors at Law

JOHN A. ELZUFON
JEFFREY M. AUSTIN
MARK L. REARDON
EDWARD A. TARLOV
SCOTT R. MONDELL
H. GARRETT BAKER
ROBERT H. RICHTER
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FACSIMILE: 302.428.3180
INTERNET: WWW.ELZUFON.COM
WRITERS E-MAIL: MREARDON@ELZUFON.COM

March 8, 2005

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Mr. Martin Camacho 35 Northwest 64th Avenue Miami, FL 33126

RE: John J. Bednarski and Ruth Bednarski v.

E and S Contract Carriers, Inc., Clarence Jones, I & A Transport, Inc. and Martin Camacho

C. A. No.: 04C-09-027 CHT Notice of Service of Process

Pursuant to 10 Del. C. §3112 and 10 Del. C. §3104

Dear Mr. Camacho:

This letter is to advise you that this firm represents Mr. John J. and Mrs. Ruth Bednarski who have filed suit against you in the Superior Court of the State of Delaware in and for New Castle County with regard to an accident which occurred on September 6, 2002. Enclosed you will find a copy of the Complaint filed with the Superior Court and a copy of the Summons, the original of which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3112 and 10 Del. C. § 3104, the Secretary of State has been appointed agent for you for the acceptance of legal process in a civil action against you as a non-resident who caused tortious injuries within the State Of Delaware. Under the provisions of 10 Del. C. §3112 and 10 Del. C. § 3104, such service of process is as effectual to all intents and purposes as if it had been made upon you personally with the State.

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be entered against you in the Superior Court. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company.

ARK L. REARDON

MLR/rnr

Enclosures

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WILMINGTON, DELAWARE → BOOTHWYN, PENNSYLVANIA → BEAR, DELAWARE

ELZUFON AUSTIN REARDON TARLOV & MONDELL, P.A.

TARLOV & MONDELL, P.A.

JOHN A. ELZUFON
JEFFREY M. AUSTIN
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300 DELAWARE AVENUE
SUITE 1700, P.O. BOX 1630
WILMINGTON, DELAWARE, 19899-1630
PHONE: 302.428.3181
FACSIMILE: 302.428.3180
INTERNET: WWW.ELZUFON.COM
WRITERS E-MAIL: MREARDON@ELZUFON.COM

March 8, 2005

REGISTERED MAIL
RETURN RECEIPT REQUESTED

E and S Contract Carriers, Inc. 2400 Maury Street Richmond, VA 23224

RE: John J. Bednarski and Ruth Bednarski v.

E and S Contract Carriers, Inc., Clarence Jones, I & A Transport, Inc. and Martin Camacho

C. A. No.: 04C-09-027 CHT Notice of Service of Process

Pursuant to 10 Del. C. §3112 and 10 Del. C. §3104

To Whom It May Concern:

This letter is to advise you that this firm represents Mr. John J. and Mrs. Ruth Bednarski who have filed suit against you in the Superior Court of the State of Delaware in and for New Castle County with regard to an accident which occurred on September 6, 2002. Enclosed you will find a copy of the Complaint filed with the Superior Court and a copy of the Summons, the original of which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3112 and 10 Del. C. § 3104, the Secretary of State has been appointed agent for you for the acceptance of legal process in a civil action against you as a non-resident who caused tortious injuries within the State Of Delaware. Under the provisions of 10 Del. C. §3112 and 10 Del. C. § 3104, such service of process is as effectual to all intents and purposes as if it had been made upon you personally with the State.

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be entered against you in the Superior Court. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company.

Very truly yours,

IARK L. REARDON

MLR/rnr Enclosures

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WILMINGTON, DELAWARE \bigstar BOOTHWYN, PENNSYLVANIA \bigstar BEAR, DELAWARE

EXHIBIT E

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY

John J. Bednarski and Ruth Bednarski,

husband and wife, residents of the State of Connecticut,

Plaintiffs,

v. :

E and S Contract Carriers, Inc., a corporation of the Commonwealth of Virginia,
Clarence Jones, a resident of the Commonwealth of Virginia,
I & A Transport, Inc., a Florida corporation, and
Martin Camacho, a resident of the State of Florida.

Defendants.

TO THE STATE OF DELAWARE TO THE SHERIFF OF KENT COUNTY: YOU ARE COMMANDED:

C. A. No.: 04C-09-027 CHT

Jury Trial Demanded

Non-Arbitration

Alias Summons

& PILED

NOV - 1 2004

To summon all defendants by service upon them so that, within 20 days after service hereof on all defendants, exclusive of the day of service, defendants shall serve upon Mark L. Reardon, Esquire, plaintiffs' attorney, whose address is 300 Delaware Avenue, 17th Floor, P.O. Box 1630, Wilmington, DE 19899, an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense).

To serve upon defendants a copy hereof and of the complaint (and of the affidavit of demand if any has been filed by plaintiff).

Dated: 10/21/04

SHARON AGNEW Prothogotary

Per Deputy

TO THE ABOVE NAMED DEFENDANTS:

In case of your failure, within 20 days after service hereof upon you, exclusive of the day of service, to service on plaintiff's attorney, named above, an answer to complaint (and, if an affidavit of demand has been filed, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint (or in the affidavit of demand, if any).

SHARON AGNEW Prothonotary

Per Deputy

Sheriff's Return

Served the within Summons and copy of the following complaint:

ALIAS SUMMONS, COMPLAINT AND INTERROGATORIES

this day, Monday, November 1, 2004, personally upon **HARRIET SMITH WINDSOR**, Secretary of State of the State of Delaware, by leaving with her a true and correct copy of the said Summons for the defendant:

E AND S CONTRACT CARRIERS, INC. CLARENCE JONES I AND A TRANSPORT, INC. MARTIN CAMACHO

and a copy of the Complaint for the said defendant, together with the sum of \$8.00 Dollars, as prescribed by Section 3104 of Title 10 of the Delaware Code of 1978.

PROTHERENARY MENNOV 15 PH 2: 22

So Answers,

Jim Higdon Sheriff of Kent County

IN THE UNITED STATES DISTRICT COURT DISTRICT OF DELAWARE

JOHN J. BEDNARSKI and RUTH BEDNARSKI, h/w

C.A. NO.: 05-125 (GMS)

Plaintiffs,

::

v.

:

E and S CONTRACT CARRIERS, INC.

CLARENCE JONES and I & A TRANSPORT and MARTIN CAMACHO

:

Defendants.

CERTIFICATE OF SERVICE

I, Mark L. Reardon, Esquire, hereby certify that one copy of the attached **NOTICE OF RECEIPT** was Electronically served or Hand Delivered n the following individual(s):

Delia A. Clark, Esquire Rawle & Henderson, LLP 300 Delaware Avenue, Suite 1015 P. O. Box 588 Wilmington, DE 19899-0588 Roger D. Landon, Esquire Murphy Spadaro & Landon 1011 Centre Road, Suite 210 Wilmington, DE 19805

James E. Butler, Esquire Miller, Rosnick, D'Amico and de Lucia, P.C. 1087 Broad Street Bridgeport, CT 06604

ELZUFON AUSTIN REARDON TARLOV & MONDELL, P.A.

IS MARK L. REARDON

MARK L. REARDON (Bar ID # 2627) 300 Delaware Avenue, Suite 1700 P.O. Box 1630 Wilmington, DE 19899-1630 (302) 428-3181 Attorney for Plaintiffs

Dated: May 25, 2005